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EXAMINER
DHARIA, PRABODH M

ART UNIT	PAPER NUMBER
2673	9

DATE MAILED: 08/03/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

PTO 90C (Rev 10/03)

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) FROM
THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed
  after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
  Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any
  earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on <u>23 June 2004</u>.

2a)☒ This action is **FINAL**.   2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is
closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) <u>1-62</u> is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) <u>1-62</u> is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on <u>31 July 2000</u> is/are: a)☒ accepted or b)☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☐ All   b)☐ Some * c)☐ None of:

      1.☐ Certified copies of the priority documents have been received.

      2.☐ Certified copies of the priority documents have been received in Application No. _____.

      3.☐ Copies of the certified copies of the priority documents have been received in this National Stage
application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)

2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date <u>2,6,8</u>.

4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ .

5) ☐ Notice of Informal Patent Application (PTO-152)

6) ☐ Other: _____.

1.   **Status:** Receipt is acknowledged of papers submitted on 06-23-2004 under

reconsideration and new claims, which have been placed of record in the file. Claims 1-62 are

pending in this action.

Specification

2.   Applicant is reminded of the proper language and format for an abstract of the disclosure.

The abstract should be in narrative form and generally limited to a single paragraph on a
separate sheet within the range of **50 to 150 words**. It is important that the abstract not exceed
150 words in length since the space provided for the abstract on the computer tape used by the
printer is limited. The form and legal phraseology often used in patent claims, such as "means"
and "said," should be avoided. The abstract should describe the disclosure sufficiently to assist
readers in deciding whether there is a need for consulting the full patent text for details.

The language should be clear and concise and should not repeat information given in the
title. It should avoid using phrases which can be implied, such as, "The disclosure concerns,"
"The disclosure defined by this invention," "The disclosure describes," etc.

The amendments to abstract has been received and objection to abstract has been

withdrawn.

Applicant has been reminded effective date of application is irrelevant for the

requirement of the total word count. The printing format of patent will not allow applicant to

have more than 150 words count.

Applicant also has been reminded as per applicant's representative request examiner has

faxed a copy of the provisional application no. 60/145,143 on April 4th 2004.

Claim Rejections - 35 USC § 102

3.　　　The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the

basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (e) the invention was described in a patent granted on an application for patent by another filed in the United
> States before the invention thereof by the applicant for patent, or on an international application by another who
> has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention
> thereof by the applicant for patent.

The changes made to 35 U.S.C. 102(e) by the American Inventors Protection Act of 1999

(AIPA) and the Intellectual Property and High Technology Technical Amendments Act of 2002

do not apply when the reference is a U.S. patent resulting directly or indirectly from an

international application filed before November 29, 2000. Therefore, the prior art date of the

reference is determined under 35 U.S.C. 102(e) prior to the amendment by the AIPA (pre-AIPA

35 U.S.C. 102(e)).

4.　　　Claims 1-37, 56-60 are rejected under 35 U.S.C. 102(e) as being anticipated by Barnard

(6,456,938 B1).

Regarding Claim 1, Barnard teaches a system for processing markup data for a map (Col.

15, Lines 39-47) on a personal digital assistant (Col. 19, Lines 4-7) comprising: (a) a personal

digital assistant (Col. 19, Lines 4-7); (b) an application on the personal digital assistant (Col. 15,

Lines 39-47, Col. 19, Lines 4-7), the application configured to: (i) obtain a map as an encoded

(Col. 42, Line 58 to Col. 43, Line 5, (Claims 54 and 55 of Barnard's do teach as well as elaborate

term encoding and representation of geographic data. Barnard discloser (Detail description) has

same teaching and elaboration in (Cols. 12-18,22,27,31,32,34-36, and provisional teaches on

pages 52,53,54,55)) and spatially indexed vector representation of geographic data from a server

(Col. 14, Lines 47-64); (ii) display the map on a screen of the personal digital assistant (Col. 15,

Lines 39-42, Col. 19, Lines 4-12); (iii) obtain markup data (Col. 15, Lines 34-47) comprised of

pixel data (Col.12, Lines 37-39) from a user that utilizes a stylus to markup the map displayed on

the personal digital assistant (Col. 13, Lines 33-41); (iv) create a file (Col. 18, Lines 14-18)

comprised of the markup data (Col. 21, Lines 3-63); (v) upload the file of markup data from the

personal digital assistant to the server (Col. 36, Lines 33-42).

Regarding Claim 2, Barnard teaches a system for processing markup data for a map (Col.

15, Lines 39-47) (a) a personal digital assistant (Col. 19, Lines 4-7); and (b) an application on the

personal digital assistant (Col. 13, Lines 33-41), the application configured to:(i) obtain a file

comprised of markup data for a map (Col. 18, Lines 14-18, Col. 21, Lines 3-63); and (ii) upload

the file to a server (Col. 36, Lines 33-42).

Regarding Claim 3, Barnard teaches the markup data comprises pixel data (Col.12, Lines

37-39) for a markup entity (Col. 21, Lines 3-63).

Regarding Claim 4, Barnard teaches the personal digital assistant (Col. 19, Lines 4-7);

obtains the file by obtaining markup data from a user (Col. 18, Lines 14-18, Col. 21, Lines 3-63).

Regarding Claim 5, Barnard teaches the markup data is a redline line (Col. 13, Lines 49-52, Col. 13, Lines 34-41, Col. 14, Lines 9-11, (Geometric scribbles (points, lines polygon, symbols), GPS input coordinates, annotations ands a geo-reference systems) (Col. 15, Lines 36-54, 56-58, Col. 16, Col. 16, Lines 37-42, Col. 21, Lines 47-62, Col. 22, Lines 14-40, Col. 23, Lines 2-7, 9-27)).

Regarding Claim 6, Barnard teaches (a) determine when a new redline object has been selected (Col. 13, Lines 34-41); and (b) obtain a redline object (Geometric scribbles (points, lines polygon, symbols), GPS input coordinates, annotations ands a geo-reference systems) (Col. 15, Lines 36-54, 56-58, Col. 16, Col. 16, Lines 37-42, Col. 21, Lines 47-62, Col. 22, Lines 14-40, Col. 23, Lines 2-7, 9-27) while a stylus remains in contact with a screen of the personal digital assistant (Col. 13, Lines 49-52, Col. 13, Lines 34-41, Col. 14, Lines 9-11).

Regarding Claim 7, Barnard teaches (a) display a text edit dialog box on the screen (Col. 20, Lines 56-60) of the personal digital assistant (Col. 19, Lines 4-7); and (b) accept text user input in the text edit dialog box (Col. 20, Lines 56-60).

Regarding Claim 8, Barnard teaches the markup data (Col. 15, Lines 45-47) is note (Col. 20, Lines 56-60, Col. 21, Lines 53-67, Col. 22, Lines 2-5).

Regarding Claim 9, Barnard teaches (a) determine when a new note object has been selected (Col. 20, Lines 56-58, Col. 21, Lines 48-55); (b) accept a user selection of; an anchor

point in a display of a map on the personal digital assistant (Col. 21, Lines 55-60); (c) display a

text entry screen on the personal digital assistant (Col. 20, Lines 56-60, Col. 21, Lines 53-67,

Col. 22, Lines 2-5); (d) accept text user input in the text entry screen (Col. 21, lines 65-67); and

(e) display an icon (Col. 23, Lines 2-27, Lines 30-56, Col. 24, lines 2-16, where "CoG" or "FoG"

are ICON representing a specific file to be opened by stylus) representative of a note at the

anchor point (Col. 21, Lines 65-67, Col. 22, Lines 2-5).

Regarding Claim 10, Barnard teaches the application uploads the data to a server by (Col.

36, Lines 33-42): (a) obtaining a socket connection (Col. 12, Lines 15-21, PC window software

pass 1995 Win Sock driver which manages a network socket connection effectively supports bi-

directional data downloading as well as uploading); (b) obtaining an inventory of resident

mapsets (Col. 17, Lines 49-55); (c) searching for markup data associated with the resident

mapsets (Col. 17, Lines 57-65); and (d) uploading all resident markup data to the server (Col. 17,

Line 62 to Col. 18, Line 2).

Regarding Claim 11, Barnard teaches the markup data is uploaded to a server directory

on the server using a hypertext transfer protocol PUT request (Col. 17, Lines 49-52, Col. 15,

Lines 32-36, Lines 45-47).

Regarding Claim 12, Barnard teaches the application on the personal digital assistant

(Col. 12, Lines 15-25) further configured to: (a) download any new mapsets (Col. 17, Lines 36-

42, Col. 20, Lines 11,12); (b) delete unreferenced mapsets (Col. 20, Lines 43-45); and (c) delete

any markup data associated with the deleted mapsets (Col. 20, Lines 43-49).

Regarding Claim 13, Barnard teaches a system for processing mark up data for a map

comprising a server (Col. 17, Lines 31-65) configured to: (a) obtain a file comprised of markup

data for a map (Col. 20, Lines 11-15); (b) convert the markup data to coordinate data (Col. 13,

Lines 3-16, Col. 15, Lines 45-47, Lines 56-59); and (c) use the coordinate data to obtain a

standard data format (SDF) (Col. 23, Lines 2-7, 9-28) file that can be used to superimpose the

markup data on the map (Col. 17, Lines 57-61).

Regarding Claim 14, Barnard teaches the coordinate data comprises mapping coordinate

system (MCS) coordinates and the server is further configured to convert the MCS coordinates to

latitude/longitude coordinates (Col. 13, Lines 3-16, Col. 15, Lines 45-47, Lines 56-59).

Regarding Claim 15, Barnard teaches a graphical user interface for obtaining redline

markup data (Col. 13, Lines 34-41); for a map on a personal digital assistant (Col. 12, Lines 15-

25) the graphical user interface (Col. 6, lines 34-42) comprising: (a) determine when a new

redline object has been selected (Col. 13, Lines 34-41); and (b) obtain a redline object

(Geometric scribbles (points, lines polygon, symbols), GPS input coordinates, annotations ands a

geo-reference systems) (Col. 15, Lines 36-54, 56-58, Col. 16, Col. 16, Lines 37-42, Col. 21,

Lines 47-62, Col. 22, Lines 14-40, Col. 23, Lines 2-7, 9-27) while a stylus remains in contact

with a screen of the personal digital assistant (Col. 13, Lines 49-52, Col. 13, Lines 34-41, Col. 14, Lines 9-11).

Regarding Claim 16, Barnard teaches (a) display a text edit dialog box on the screen (Col. 20, Lines 56-60) of the personal digital assistant (Col. 19, Lines 4-7); and (b) accept text user input in the text edit dialog box (Col. 20, Lines 56-60).

Regarding Claim 17, Barnard teaches synchronizing the redline markup data with a server (Col. 16, Line 51 to Col. 17, Line 21, Col. 17, Line 57 to Col. 18, Line 2).

Regarding Claim 18, Barnard teaches a graphical user interface for obtaining redline markup data (Col. 13, Lines 34-41); for a map on a personal digital assistant (Col. 12, Lines 15-25) the graphical user interface (Col. 6, lines 34-42) comprising: (a) determine when a new note object has been selected (Col. 20, Lines 56-58, Col. 21, Lines 48-55); (b) accept a user selection of; an anchor point in a display of a map on the personal digital assistant (Col. 21, Lines 55-60); (c) display a text entry screen on the personal digital assistant (Col. 20, Lines 56-60, Col. 21, Lines 53-67, Col. 22, Lines 2-5); (d) accept text user input in the text entry screen (Col. 21, lines 65-67); and (e) display an icon (Col. 23, Lines 2-27, Lines 30-56, Col. 24, lines 2-16, where "CoG" or "FoG" are ICON representing a specific file to be opened by stylus) representative of a note at the anchor point (Col. 21, Lines 65-67, Col. 22, Lines 2-5).

Regarding Claim 19, Barnard teaches synchronizing the redline (Geometric scribbles

(points, lines polygon, symbols), GPS input coordinates, annotations ands a geo-reference

systems) (Col. 15, Lines 36-54, 56-58, Col. 16, Col. 16, Lines 37-42, Col. 21, Lines 47-62, Col.

22, Lines 14-40, Col. 23, Lines 2-7, 9-27) markup data with a server (Col. 16, Line 51 to Col. 17,

Line 21, Col. 17, Line 57 to Col. 18, Line 2).

Regarding Claim 20, Barnard teaches obtaining a file comprised of markup data for a

map on a personal digital assistant (Col. 12, Lines 15-25, Col. 17, Lines 49-65); and uploading

the file from the personal digital assistant to a server (Col. 17, Line 62 to Col. 18, Line 2).

Regarding Claim 21, Barnard teaches the markup data comprises pixel data (Col.12,

Lines 37-39) for a markup entity (Col. 21, Lines 3-63).

Regarding Claim 22, Barnard teaches the obtaining comprises obtaining markup data

from a user (Col. 16, Lines 55-63).

Regarding Claim 23, Barnard teaches the markup data is a redline line (Col. 13, Lines 49-

52, Col. 13, Lines 34-41, Col. 14, Lines 9-11, (Geometric scribbles (points, lines polygon,

symbols), GPS input coordinates, annotations ands a geo-reference systems) (Col. 15, Lines 36-

54, 56-58, Col. 16, Col. 16, Lines 37-42, Col. 21, Lines 47-62, Col. 22, Lines 14-40, Col. 23,

Lines 2-7, 9-27)).

Regarding Claim 24, Barnard teaches (a) determine when a new redline object has been selected (Col. 13, Lines 34-41); and (b) obtain a redline object (Geometric scribbles (points, lines polygon, symbols), GPS input coordinates, annotations ands a geo-reference systems) (Col. 15, Lines 36-54, 56-58, Col. 16, Col. 16, Lines 37-42, Col. 21, Lines 47-62, Col. 22, Lines 14-40, Col. 23, Lines 2-7, 9-27) while a stylus remains in contact with a screen of the personal digital assistant (Col. 13, Lines 49-52, Col. 13, Lines 34-41, Col. 14, Lines 9-11).

Regarding Claim 25, Barnard teaches (a) display a text edit dialog box on the screen (Col. 20, Lines 56-60) of the personal digital assistant (Col. 19, Lines 4-7); and (b) accept text user input in the text edit dialog box (Col. 20, Lines 56-60).

Regarding Claim 26, Barnard teaches the markup data (Col. 15, Lines 45-47) is note (Col. 20, Lines 56-60, Col. 21, Lines 53-67, Col. 22, Lines 2-5).

Regarding Claim 27, Barnard teaches (a) determine when a new note object has been selected (Col. 21, Lines 48-55); (b) accept a user selection of, an anchor point in a display of a map on the personal digital assistant (Col. 21, Lines 55-60); (c) display a text entry screen on the personal digital assistant (Col. 20, Lines 56-60, Col. 21, Lines 53-67, Col. 22, Lines 2-5); (d) accept text user input in the text entry screen (Col. 21, lines 65-67); and (e) display an icon (Col. 23, Lines 2-27, Lines 30-56, Col. 24, lines 2-16, where "CoG" or "FoG" are ICON representing a specific file to be opened by stylus) representative of a note at the anchor point (Col. 21, Lines 65-67, Col. 22, Lines 2-5).

Regarding Claim 28, Barnard teaches the application uploads the data to a server by (Col. 36, Lines 33-42): (a) obtaining a socket connection (Col. 12, Lines 15-21, PC window software pass 1995 Win Sock driver which manages a network socket connection effectively supports bi-directional data downloading as well as uploading); (b) obtaining an inventory of resident mapsets (Col. 17, Lines 49-55); (c) searching for markup data associated with the resident mapsets (Col. 17, Lines 57-65); and (d) uploading all resident markup data to the server (Col. 17, Line 62 to Col. 18, Line 2).

Regarding claim 29, Barnard teaches the markup data is uploaded to a server directory on the server using a hypertext transfer protocol PUT request (Col. 17, Lines 49-52, Col. 15, Lines 32-36, Lines 45-47).

Regarding Claim 30, Barnard teaches the application on the personal digital assistant (Col. 12, Lines 15-25) further configured to: (a) download any new mapsets (Col. 17, Lines 36-42, Col. 20, Lines 11,12); (b) delete unreferenced mapsets (Col. 20, Lines 43-45); and (c) delete any markup data associated with the deleted mapsets (Col. 20, Lines 43-49).

Regarding Claim 31, Barnard teaches a system for processing mark up data for a map comprising a server (Col. 17, Lines 31-65) configured to: (a) obtain a file comprised of markup data for a map (Col. 20, Lines 11-15); (b) convert the markup data to coordinate data (Col. 13, Lines 3-16, Col. 15, Lines 45-47, Lines 56-59); and (c) use the coordinate data to obtain a

standard data format (SDF) (Col. 23, Lines 2-7, 9-28) file that can be used to superimpose the

markup data on the map (Col. 17, Lines 57-61).

Regarding Claim 32, Barnard teaches the coordinate data comprises mapping coordinate

system (MCS) coordinates and the server is further configured to convert the MCS coordinates to

latitude/longitude coordinates (Col. 13, Lines 3-16, Col. 15, Lines 45-47, Lines 56-59).

Regarding Claim 33, Barnard teaches a graphical user interface for obtaining redline

markup data (Col. 13, Lines 34-41); for a map on a personal digital assistant (Col. 12, Lines 15-

25) the graphical user interface (Col. 6, lines 34-42) comprising: (a) determine when a new

redline object has been selected (Col. 13, Lines 34-41); and (b) obtain a redline object

(Geometric scribbles (points, lines polygon, symbols), GPS input coordinates, annotations ands a

geo-reference systems) (Col. 15, Lines 36-54, 56-58, Col. 16, Col. 16, Lines 37-42, Col. 21,

Lines 47-62, Col. 22, Lines 14-40, Col. 23, Lines 2-7, 9-27) (Geometric scribbles (points, lines

polygon, symbols), GPS input coordinates, annotations ands a geo-reference systems) (Col. 15,

Lines 36-54, 56-58, Col. 16, Col. 16, Lines 37-42, Col. 21, Lines 47-62, Col. 22, Lines 14-40,

Col. 23, Lines 2-7, 9-27) while a stylus remains in contact with a screen (Col. 13, Lines 49-52,

Col. 13, Lines 34-41, Col. 14, Lines 9-11) of the personal digital assistant (Col. 12, Lines 15-25).

Regarding Claim 34, Barnard teaches (a) display a text edit dialog box on the screen

(Col. 20, Lines 56-60) of the personal digital assistant (Col. 19, Lines 4-7); and (b) accept text

user input in the text edit dialog box (Col. 20, Lines 56-60).

Regarding Claim 35, Barnard teaches synchronizing the redline (Geometric scribbles

(points, lines polygon, symbols), GPS input coordinates, annotations ands a geo-reference

systems) (Col. 15, Lines 36-54, 56-58, Col. 16, Col. 16, Lines 37-42, Col. 21, Lines 47-62, Col.

22, Lines 14-40, Col. 23, Lines 2-7, 9-27) markup data with a server (Col. 16, Line 51 to Col. 17,

Line 21, Col. 17, Line 57 to Col. 18, Line 2).

Regarding Claim 36, Barnard teaches a graphical user interface for obtaining redline

markup data (Col. 13, Lines 34-41); for a map on a personal digital assistant (Col. 12, Lines 15-

25) the graphical user interface (Col. 6, lines 34-42) the method comprising: (a) determine when

a new note object has been selected (Col. 20, Lines 56-58, Col. 21, Lines 48-55); (b) accept a

user selection of; an anchor point in a display of a map on the personal digital assistant (Col. 21,

Lines 55-60); (c) display a text entry screen on the personal digital assistant (Col. 20, Lines 56-

60, Col. 21, Lines 53-67, Col. 22, Lines 2-5); (d) accept text user input in the text entry screen

(Col. 21, lines 65-67); and (e) display an icon (Col. 23, Lines 2-27, Lines 30-56, Col. 24, lines 2-

16, where "CoG" or "FoG" are ICON representing a specific file to be opened by stylus)

representative of a note at the anchor point (Col. 21, Lines 65-67, Col. 22, Lines 2-5).

Regarding Claim 37, Barnard teaches synchronizing the redline (Geometric scribbles

(points, lines polygon, symbols), GPS input coordinates, annotations ands a geo-reference

systems) (Col. 15, Lines 36-54, 56-58, Col. 16, Col. 16, Lines 37-42, Col. 21, Lines 47-62, Col.

22, Lines 14-40, Col. 23, Lines 2-7, 9-27) markup data with a server (Col. 16, Line 51 to Col. 17,

Line 21, Col. 17, Line 57 to Col. 18, Line 2).

Regarding Claim 56, Barnard teaches the file comprised of markup data (file, Col. 18, Lines 3-20, Col. 25, Lines 34-56) is separate from a file comprised of the map (Col. 15, Lines 17-53, Col. 16, Lines 51-67, Col. 41, Lines 8-64, Col. 27, Lines 31-33).

Regarding Claim 57, Barnard teaches the file comprised of markup data (file, Col. 18, Lines 3-20, Col. 25, Lines 34-56) is separate from a file comprised of the map (Col. 15, Lines 17-53, Col. 16, Lines 51-67, Col. 41, Lines 8-64, Col. 27, Lines 31-33).

Regarding Claim 58, Barnard teaches the file comprised of markup data (file, Col. 18, Lines 3-20, Col. 25, Lines 34-56) is separate from a file comprised of the map (Col. 15, Lines 17-53, Col. 16, Lines 51-67, Col. 41, Lines 8-64, Col. 27, Lines 31-33).

Regarding Claim 59, Barnard teaches the file comprised of markup data (file, Col. 18, Lines 3-20, Col. 25, Lines 34-56) is separate from a file comprised of the map (Col. 15, Lines 17-53, Col. 16, Lines 51-67, Col. 41, Lines 8-64, Col. 27, Lines 31-33).

Regarding Claim 60, Barnard teaches the file comprised of markup data (file, Col. 18, Lines 3-20, Col. 25, Lines 34-56) is separate from a file comprised of the map (Col. 15, Lines 17-53, Col. 16, Lines 51-67, Col. 41, Lines 8-64, Col. 27, Lines 31-33).

Claim Rejections - 35 USC § 103

5.   The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in
> section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are
> such that the subject matter as a whole would have been obvious at the time the invention was made to a person
> having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the
> manner in which the invention was made.

6.   Claims 38-55,61,62 are rejected under 35 U.S.C. 103(a) as being unpatentable over Neal

(6,192,518 B1) in view of Barnard (6,456,938 B1).

Regarding Claim 38, Neal teaches an article of manufacture comprising a program

storage medium readable by a computer hardware device and embodying one or more

instructions executable by the computer hardware device (Col. 12, Lines 38-41).

However, Neal fails to teach performing a method for obtaining note markup data for a

map on a personal digital assistant, obtaining note markup data; obtaining a file comprised of

markup data for a map on a personal digital assistant and uploading the file from the personal

digital assistant to a server.

However, Barnard teaches performing a method for obtaining note markup data for a map

on a personal digital assistant, obtaining note markup data (Col. 13, Lines 34-41); obtaining a file

comprised of markup data for a map (Col. 20, Lines 11-15) on a personal digital assistant (Col.

12, Lines 15-25) and uploading the file from the personal digital assistant (Col. 12, lines 15-25)

to a server (Col. 17, Line 62 to Col. 18, Line 2).

Thus it would have been obvious to one in the ordinary skill in the art at the time of

invention was made to incorporate the teaching of Neal in to the Barnard to be able to access

previously created maps for downloading and editing by user and to provide for the uploading of

maps and play data through a public access computer system such as internet on a PDA.

Regarding Claim 39, Barnard teaches the markup data comprises pixel data (Col.12,

Lines 37-39) for a markup entity (Col. 21, Lines 3-63).

Regarding Claim 40, Barnard teaches the obtaining comprises obtaining markup data

from a user (Col. 16, Lines 55-63).

Regarding Claim 41, Barnard teaches the markup data is a redline line (Col. 13, Lines 49-

52, Col. 13, Lines 34-41, Col. 14, Lines 9-11).

Regarding Claim 42, Barnard teaches (a) determine when a new redline object has been

selected (Col. 13, Lines 34-41); and (b) obtain a redline object (Geometric scribbles (points, lines

polygon, symbols), GPS input coordinates, annotations ands a geo-reference systems) (Col. 15,

Lines 36-54, 56-58, Col. 16, Col. 16, Lines 37-42, Col. 21, Lines 47-62, Col. 22, Lines 14-40,

Col. 23, Lines 2-7, 9-27) while a stylus remains in contact with a screen of the personal digital

assistant (Col. 13, Lines 49-52, Col. 13, Lines 34-41, Col. 14, Lines 9-11).

Regarding Claim 43, Barnard teaches (a) display a text edit dialog box on the screen

(Col. 20, Lines 56-60) of the personal digital assistant (Col. 19, Lines 4-7); and (b) accept text

user input in the text edit dialog box (Col. 20, Lines 56-60).

Regarding Claim 44, Barnard teaches the markup data (Col. 15, Lines 45-47) is note

(Col. 20, Lines 56-60, Col. 21, Lines 53-67, Col. 22, Lines 2-5).

Regarding Claim 45, Barnard teaches a graphical user interface for obtaining redline

markup data (Col. 13, Lines 34-41); for a map on a personal digital assistant (Col. 12, Lines 15-

25) the graphical user interface (Col. 6, lines 34-42) the method comprising: (a) determine when

a new note object has been selected (Col. 20, Lines 56-58, Col. 21, Lines 48-55); (b) accept a

user selection of; an anchor point in a display of a map on the personal digital assistant (Col. 21,

Lines 55-60); (c) display a text entry screen on the personal digital assistant (Col. 20, Lines 56-

60, Col. 21, Lines 53-67, Col. 22, Lines 2-5); (d) accept text user input in the text entry screen

(Col. 21, lines 65-67); and (e) display an icon (Col. 23, Lines 2-27, Lines 30-56, Col. 24, lines 2-

16, where "CoG" or "FoG" are ICON representing a specific file to be opened by stylus)

representative of a note at the anchor point (Col. 21, Lines 65-67, Col. 22, Lines 2-5).

Regarding Claim 46, Barnard teaches the application uploads the data to a server by (Col.

36, Lines 33-42): (a) obtaining a socket connection (Col. 12, Lines 15-21, PC window software

pass 1995 Win Sock driver which manages a network socket connection effectively supports bi-

directional data downloading as well as uploading); (b) obtaining an inventory of resident

mapsets (Col. 17, Lines 49-55); (c) searching for markup data associated with the resident

mapsets (Col. 17, Lines 57-65); and (d) uploading all resident markup data to the server (Col. 17,

Line 62 to Col. 18, Line 2).

Regarding Claim 47, Barnard teaches the markup data is uploaded to a server directory

on the server using a hypertext transfer protocol PUT request (Col. 17, Lines 49-52, Col. 15,

Lines 32-36, Lines 45-47).

Regarding Claim 48, Barnard teaches the application on the personal digital assistant

(Col. 12, Lines 15-25) further configured to: (a) download any new mapsets (Col. 17, Lines 36-

42, Col. 20, Lines 11,12); (b) delete unreferenced mapsets (Col. 20, Lines 43-45); and (c) delete

any markup data associated with the deleted mapsets (Col. 20, Lines 43-49).

Regarding Claim 49, Neal teaches an article of manufacture comprising a program

storage medium readable by a computer hardware device and embodying one or more

instructions executable by the computer hardware device (Col. 12, Lines 38-41).

However, Neal fails to teach performing a method for obtaining (a) note markup data for

a map on a personal digital assistant, obtaining note markup data; (b) convert the markup data to

coordinate data; and (c) use the coordinate data to obtain a standard data format (SDF) file that

can be used to superimpose the markup data on the map.

However, Barnard teaches performing a method for obtaining (a) note markup data for a

map on a personal digital assistant (Col. 12, Lines 15-25), obtaining note markup data (Col. 13,

Lines 34-41); (b) convert the markup data to coordinate data (Col. 13, Lines 3-16, Col. 15, Lines

45-47, Lines 56-59); and (c) use the coordinate data to obtain a standard data format (SDF Col.

23, Lines 2-7, 9-28) file that can be used to superimpose the markup data on the map (Col. 17,

Lines 57-61).

Thus it would have been obvious to one in the ordinary skill in the art at the time of

invention was made to incorporate the teaching of Neal in to the Barnard to be able to access

previously created maps for downloading and editing by user and to provide for the uploading of

maps and play data through a public access computer system such as internet on a PDA.

Regarding Claim 50, Barnard teaches the coordinate data comprises mapping coordinate

system (MCS) coordinates and the server is further configured to convert the MCS coordinates to

latitude/longitude coordinates (Col. 13, Lines 3-16, Col. 15, Lines 45-47, Lines 56-59).

Regarding Claim 51, Neal teaches an article of manufacture comprising a program

storage medium readable by a computer hardware device and embodying one or more

instructions executable by the computer hardware device (Col. 12, Lines 38-41).

However, Neal fails to teach performing a method for obtaining note markup data for a

map on a personal digital assistant, obtaining note markup data; the method comprising: (a)

determine when a new redline object has been selected; and (b) obtain a redline object while a

stylus remains in contact with a screen of the personal digital assistant.

However, Barnard teaches performing a method for obtaining note markup data for a map

on a personal digital assistant (Col. 12, Lines 15-25), obtaining note markup data (Col. 13, Lines

34-41); the method comprising: (a) determine when a new redline object (Geometric scribbles

(points, lines polygon, symbols), GPS input coordinates, annotations ands a geo-reference

systems) (Col. 15, Lines 36-54, 56-58, Col. 16, Col. 16, Lines 37-42, Col. 21, Lines 47-62, Col.

22, Lines 14-40, Col. 23, Lines 2-7, 9-27) has been selected (Col. 13, Lines 34-41); and (b)

obtain a redline object (Geometric scribbles (points, lines polygon, symbols), GPS input

coordinates, annotations ands a geo-reference systems) (Col. 15, Lines 36-54, 56-58, Col. 16,

Col. 16, Lines 37-42, Col. 21, Lines 47-62, Col. 22, Lines 14-40, Col. 23, Lines 2-7, 9-27) while

a stylus remains in contact with a screen of the personal digital assistant (Col. 13, Lines 49-52,

Col. 13, Lines 34-41, Col. 14, Lines 9-11).

Thus it would have been obvious to one in the ordinary skill in the art at the time of

invention was made to incorporate the teaching of Neal in to the Barnard to be able to access

previously created maps for downloading and editing by user and to provide for the uploading of

maps and play data through a public access computer system such as internet on a PDA.

Regarding Claim 52, Barnard teaches (a) display a text edit dialog box on the screen

(Col. 20, Lines 56-60) of the personal digital assistant (Col. 19, Lines 4-7); and (b) accept text

user input in the text edit dialog box (Col. 20, Lines 56-60).

Regarding Claim 53, Barnard teaches synchronizing the redline (Geometric scribbles

(points, lines polygon, symbols), GPS input coordinates, annotations ands a geo-reference

systems) (Col. 15, Lines 36-54, 56-58, Col. 16, Col. 16, Lines 37-42, Col. 21, Lines 47-62, Col.

22, Lines 14-40, Col. 23, Lines 2-7, 9-27) markup data with a server (Col. 16, Line 51 to Col. 17,

Line 21, Col. 17, Line 57 to Col. 18, Line 2).

Regarding Claim 54, Neal teaches an article of manufacture comprising a program

storage medium readable by a computer hardware device and embodying one or more

instructions executable by the computer hardware device (Col. 12, Lines 38-41).

However, Neal fails to teach performing a method for obtaining note markup data for a

map on a personal digital assistant, obtaining note markup data; for a map on a personal digital

assistant (a) determine when a new note object has been selected; (b) accept a user selection of;

an anchor point in a display of a map on the personal digital assistant; (c) display a text entry

screen on the personal digital assistant; (d) accept text user input in the text entry screen; and (e)

display an icon representative of a note at the anchor point.

However, Barnard teaches performing a method for obtaining note markup data for a map

on a personal digital assistant, obtaining note markup data (Col. 13, Lines 34-41); for a map on a

personal digital assistant (Col. 12, Lines 15-25) (a) determine when a new note object has been

selected (Col. 20, Lines 56-58); (b) accept a user selection of; an anchor point in a display of a

map on the personal digital assistant (Col. 21, Lines 45-60); (c) display a text entry screen on the

personal digital assistant (Col. 20, Lines 56-60, Col. 21, Lines 53-67, Col. 22, Lines 2-5); (d)

accept text user input in the text entry screen (Col. 21, lines 65-67); and (e) display an icon

representative of a note at the anchor point (Col. 21, Lines 65-67, Col. 22, Lines 2-5).

Thus it would have been obvious to one in the ordinary skill in the art at the time of

invention was made to incorporate the teaching of Neal in to the Barnard to be able to access

previously created maps for downloading and editing by user and to provide for the uploading of

maps and play data through a public access computer system such as internet on a PDA.

Regarding Claim 55, Barnard teaches synchronizing the redline (Geometric scribbles

(points, lines polygon, symbols), GPS input coordinates, annotations ands a geo-reference

systems) (Col. 15, Lines 36-54, 56-58, Col. 16, Col. 16, Lines 37-42, Col. 21, Lines 47-62, Col.

22, Lines 14-40, Col. 23, Lines 2-7, 9-27) markup data with a server (Col. 16, Line 51 to Col. 17,

Line 21, Col. 17, Line 57 to Col. 18, Line 2).

Regarding Claim 61, Barnard teaches the file comprised of markup data (file, Col. 18,

Lines 3-20, Col. 25, Lines 34-56) is separate from a file comprised of the map (Col. 15, Lines

17-53, Col. 16, Lines 51-67, Col. 41, Lines 8-64, Col. 27, Lines 31-33).

Regarding Claim 62, Barnard teaches the file comprised of markup data (file, Col. 18,

Lines 3-20, Col. 25, Lines 34-56) is separate from a file comprised of the map (Col. 15, Lines

17-53, Col. 16, Lines 51-67, Col. 41, Lines 8-64, Col. 27, Lines 31-33).

Response to Arguments

7.   Applicant's arguments filed 06-23-2004 have been fully considered but they are not

persuasive.

Applicant argues the priority date of Barnard cannot be relied upon as reference fails to

disclose or suggests an encoded and spatially indexed vector representation of geographic data.

Examiner disagrees as per MPEP 201.04(b) and see 35USC 119(e) the provisional

application date is the early filing date of non-provisional application. Barnard does teach an

encoded and spatially indexed vector representation of geographic data. (Claims 54 and 55 of

Barnard's do teach as well as elaborate term encoding and representation of geographic data.

Barnard discloser (Detail description) has same teaching and elaboration in (Cols. 12-

18,22,27,31,32,34-36, and provisional teaches on pages 52,53,54,55).

Applicant argues obtaining markup data, creating a file comprised of the markup data and

uploading the markup data from PDA to server.

Examiner disagrees Barnard does teach obtaining markup data (Col. 21, Lines 18-27,

Col. 25, Lines 43-49, Col. 28, Lines 33-61), creating a file comprised of the markup data (Col.

21, Line 17 to Col. 22, Line 67) and uploading the markup data from PDA to server (Col. 25,

Lines 33-56).

Applicant argues Barnard fails to teach or suggests a server converting markup data to

coordinate data.

Examiner disagrees Barnard teaches or suggests a server converting markup data to

coordinate data (Col. 15, Line 25 to Col. 18 Line 2).

Applicant argues Barnard fails to teach or suggests a SDF (standard data file) file.

Examiner disagrees as Barnard teaches or suggests a SDF (standard data file) file (Col.

23, Lines 2-7, 9-28).

Applicant argues Barnard fails to teach or suggests super imposing markup data on a

map.

Examiner disagrees as Barnard teaches or suggests super imposing markup data on a map

(Col. 15, Lines 25-54).

Applicant argues Barnard fails to teach or suggests a redline object.

Examiner disagrees as Barnard teaches or suggests a redline object (Geometric scribbles

(points, lines polygon, symbols), GPS input coordinates, annotations ands a geo-reference

systems) (Col. 15, Lines 36-54, 56-58, Col. 16, Col. 16, Lines 37-42, Col. 21, Lines 47-62, Col.

22, Lines 14-40, Col. 23, Lines 2-7, 9-27).

Applicant argues Barnard fails to teach or suggests displaying ICON representative of a

note at an anchor point selected by a user.

Examiner disagrees as Barnard teaches or suggests displaying ICON representative of a

note at an anchor point selected by a user (Col. 23, Lines 2-27, Lines 30-56, Col. 24, lines 2-16,

where "CoG" or "FoG" are ICON representing a specific file to be opened by stylus).

8.   The prior art made of record and not relied upon is considered pertinent to applicant's

disclosure. Applicant is informed that all of the other additional cited references either anticipate

or render the claims obvious. In order to not to be repetitive and exhaustive, the examiner did

draft additional rejection based on those references.

Conclusion

9.   **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time

policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE

MONTHS from the mailing date of this action. In the event a first reply is filed within TWO

MONTHS of the mailing date of this final action and the advisory action is not mailed until after

the end of the THREE-MONTH shortened statutory period, then the shortened statutory period

will expire on the date the advisory action is mailed, and any extension fee pursuant to 37

CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event,

however, will the statutory period for reply expire later than SIX MONTHS from the mailing

date of this final action.

10.   Any inquiry concerning this communication or earlier communications from the

examiner should be directed to Prabodh M Dharia whose telephone number is 703-605-1231.

The examiner can normally be reached on M-F 8AM to 5PM.

11.   If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, Bipin Shalwala can be reached on 703-3054938. The fax phone number for the

organization where this application or proceeding is assigned is 703-872-9306.

12.   Information regarding the status of an application may be obtained from the Patent

Application Information Retrieval (PAIR) system. Status information for published applications

may be obtained from either Private PAIR or Public PAIR. Status information for unpublished

applications is available through Private PAIR only. For more information about the PAIR

system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR

system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).
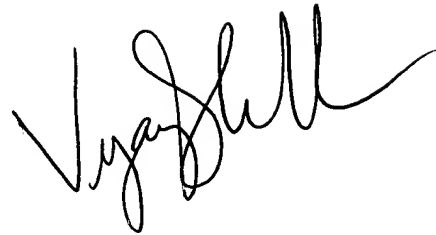
Any response to this action should be mailed to:

Commissioner of Patents and Trademarks

Washington, D.C. 20231

PD

AU2673

March 08,2004

VIJAY SHANKAR
PRIMARY EXAMINER